

Exhibit 45



Permanent Observer Mission of The State of Palestine to the United Nations New York

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15 April 2020 – Escalating Israeli violations – Threats of annexation

 15 APRIL 2020 BY PALESTINE AT THE UN

Excellency,

As the situation in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate, I am compelled to write in follow-up to the critical concerns raised in our recent letters about the human rights violations and crimes being perpetrated by Israel, the occupying Power, against the Palestinian people, even amidst the COVID-19 pandemic.

As the public health emergency persists in Palestine, with 369 confirmed cases (291 in the West Bank, 78 in East Jerusalem, and 13 in the Gaza Strip) and 2 deaths as of 15 April, Israel continues to cynically exploit the international community's focus on the life and death circumstances imposed by the COVID-19 pandemic, to entrench its illegal occupation, advance annexation, and escalate its repression of Palestinians. It is estimated that, in one month alone from 5 March to 5 April, Israel demolished or confiscated 47 Palestinian structures, conducted 267 arrests and 238 raids, killed 3 Palestinians and injured another 52.

In the West Bank, including East Jerusalem, Israel's land grab and settlement and Wall construction continue unabated, as do provocative calls for annexation. In fact, annexation plans have become the centerpiece of negotiations to form the next Israeli government. Some, like former Minister Ayelet Shaked have gone so far as to declare that, *"The government that is being formed has no right to exist unless it applies sovereignty over Judea and Samaria and the Jordan Valley"*.

This proves yet again that those in Israel's political establishment, regardless of political leanings, do not differ in their pursuit of permanent colonization, annexation, and apartheid-like policies. Moreover, this reconfirms that Israel has abandoned all pretense of commitment to the internationally agreed solution of two States on the basis of international law and relevant United Nations resolutions. Clearly, for Israel, the peace process was always a short-term tactic, never a long-term strategy.

We are grateful for the strong statements recently issued from countries around the world, including Arab and European States, reaffirming their firm opposition to Israeli annexation of Occupied Palestinian Territory. We recognize as well the opposition by members of the US Congress who expressed concern about reports Israel intends to move forward with unilateral annexation of Palestinian territory, and emphasized that *"This runs counter to decades of bipartisan U.S. foreign policy and to the will of the House of Representatives as recently expressed in H.Res.326, which*

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We reiterate, however, that statements alone about the threat to peace and about international obligations will not avert the looming destruction of the two-State solution and peace prospects. Serious, deterrent action is required to stop Israeli actions and plans. The international community must act to hold Israel accountable for its illegal actions and perverse impunity before the two-State solution is permanently undercut, perpetuating the conflict and the immense human suffering it is causing.

In this regard, extremist Israeli settlers, emboldened by the specter of imminent annexation since the presentation of the US administration's "plan" for the Israeli-Palestinian conflict, have intensified attacks against Palestinians. According to a UN report, between March 17 and 30, the number of attacks reflects *"a 78% increase compared to the bi-weekly average of incidents since the start of 2020."* In addition to physical assaults on civilians, the stoning and torching of vehicles, the uprooting of olive trees and crops, and the unleashing of dogs on Palestinian herders, settlers have also flooded sewage into Palestinian farms near the town of Beit Ummar, and vandalized tombstones in the village of Burqa. The aim of such violence and terror is clear: intimidating Palestinians and pressuring them to leave their lands.

In addition to these deplorable developments, while governments around the world work tirelessly to limit the spread of COVID-19 in their countries, Israel continues to undermine Palestine's efforts in this regard. While coordination efforts continue in this regard, the occupying Power has simultaneously obstructed Palestinian efforts to ensure the orderly return and health testing of workers from Israel, disinfect neighborhoods, raise awareness, and provide assistance to families financially affected by the virus. Below are just a few examples of Israeli actions in the recent period:

On 3 April, Israeli forces stormed the home of Palestinian Minister of Jerusalem Affairs, Fadi Al-Hidmi, physically assaulting him, confiscating around \$2,750 directly from him, forcing him to wear a dirty, bloody mask, and then detaining him. This outrageous act was carried out as punishment for the Palestinian government's efforts to provide Palestinian residents of East Jerusalem with assistance and healthcare, a human and moral prerogative; especially as the occupying Power has deliberately neglected its obligations to carry out vigorous testing of the Palestinian population under its illegal control in and around the City. Two days later, undeterred by condemnations of its actions, Israel arrested the Palestinian Governor of Jerusalem, Adnan Ghaith, after storming his house in Silwan.

Since 6 March, when a state of emergency was imposed in Palestine to control the outbreak of the COVID-19 virus, Israeli forces have carried out more than 207 military incursions across the West Bank, including East Jerusalem. Such actions are directly undermining Palestinian containment efforts. Moreover, on 6 April, in an appalling attempt to spread fear and panic among Palestinian civilians, Israeli soldiers spat on doorsteps, cars and homes of residents of the village of Beit Ummar, and dumped contaminated trash, needles and used gloves between village homes. Also, despite the risks that Palestinian workers returning from Israel are bringing the virus to their hometowns – estimated to be the cause of at least one-third of confirmed

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Such reckless and negligent behavior of the occupation authorities is similarly witnessed in Israeli prisons. At a time when the UN High Commissioner for Human Rights is appealing to governments to “*examine ways to release those particularly vulnerable to the pandemic*,” including “*those detained without sufficient legal basis, political prisoners and others detained simply for expressing critical or dissenting views*”, and the UN Secretary-General’s Envoys to the Middle East are jointly calling for “*special attention to the plight of the detained*”, Israel is continuing its arrest and detention campaign in the Occupied Palestinian Territory, including East Jerusalem.

In the month of March, Israel arrested 250 Palestinians, including 54 children and 6 women and girls. It has likewise refused to take measures to improve the provision of healthcare and hygiene for Palestinian prisoners and detainees in line with WHO guidance for preventing COVID-19 outbreak in prisons, in addition to refusing to sterilise detention facilities. Instead, despite the fact that two Israeli prison officers and a recently released Palestinian prisoner tested positive for the virus, Israel continues denying prisoners access to adequate soap and hygiene materials, heightening risk of contagion.

As stressed in a statement issued on 8 April by the Organization of Islamic Cooperation’s Independent Permanent Human Rights Commission, “*in view of the global health emergency, precarious hygienic conditions and inadequate health services, overcrowded Israeli prisons constitute perfect conditions for catastrophic spread of pandemic, putting lives of inmates at grave risk and creating environment for major unrest in the prisons.*” We reiterate our call upon Israel to release the Palestinian civilians it is imprisoning, starting with the most vulnerable, among them older and infirm Palestinian detainees, women and children, in accordance with international law.

Israel, as occupying Power, is under legal obligation to ensure the physical and mental health and well-being of Palestinian prisoners and detainees. Article 10 of the International Covenant on Civil and Political Rights, mandates that “[a]ll persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.” Moreover, the UN Basic Principles for the Treatment of Prisoners (Nelson Mandela Rules) stipulate that, “*Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation.*”

In the Gaza Strip, where two million Palestinians, most of them refugees, have been forced to live under appalling conditions as a result of Israel’s 13-year blockade and repeated military aggressions, the situation remains precarious and risks are enormous. Gaza is densely populated; its water resources largely contaminated; its population mostly unemployed and living below the poverty threshold; its healthcare system severely weakened and overstretched, with 80-90% of its few ventilators are already in use; its electricity supply sporadic; and its coping capacities already exhausted.

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Based on epidemiologic estimates and given the near-impossibility of effective sanitation practices and physical distancing in Gaza, if the virus spreads, approximately 80% of Gaza's population could become infected, necessitating at least 100,000 hospital beds would be needed, when there are only about 2,500 at present, of them only 120 ICU beds. Moreover, the needed hygiene kits, ventilators, drugs and other essential medical supplies are largely unavailable to the population. As stated by Gaza's UNRWA director, Mr. Matthias Schmale, an outbreak would be "*a disaster of gigantic proportions*".

While the Palestinian Government along with the support of the WHO, UNRWA, OCHA and other UN partner agencies are working diligently to quarantine, prepare for and avoid a worst-case scenario, as the occupying Power, Israel bears ultimate responsibility for the inhumane conditions in Gaza. As per its Fourth Geneva Convention obligations, Israel must, at the very minimum, allow humanitarian access and the needed medical supplies to enter Gaza. It must suspend the requirement for transit permits for those who require hospitalization outside Gaza. It must also facilitate the entry of medical personnel willing to volunteer their services, and develop a plan for treating Palestinians from Gaza who need urgent medical attention in Israel.

As stated by the Secretary-General in his remarks to the Security Council on 9 April, two of the priority actions where further action is needed are: "*ensuring humanitarian access and opening corridors for the safe and timely movement of goods and personnel*" and "*protecting the most vulnerable populations and those least able to protect themselves*." Moreover, he reminded that "*international humanitarian, human rights and refugee law continue to apply, even—and especially—in challenging times like these*." Also, on 11 April, in a joint appeal, the UN Secretary-General's Envoys to the Middle East also underscored the need to facilitate humanitarian access and assistance including to refugees and "*communities under siege*".

Yet humanitarian measures alone are insufficient. Fulfilling its legal obligations requires that Israel act forthwith to end to its illegal occupation, including the full lifting of its blockade on Gaza. As long as Israel refuses to abide by its obligations, it becomes the responsibility of all States to adopt effective measures to uphold international law and ensure accountability, as well as to protect the Palestinian civilian population under Israeli occupation, and alleviate the human suffering and insecurity caused by this situation, *inter alia*, by providing humanitarian support.

As stated by the Foreign Minister of Norway, Chair of the Ad Hoc Liaison Committee (AHLC), in light of the great risks posed by the pandemic, "*We need to work together to prevent this from being a bigger humanitarian and health disaster than we think it can be, especially in Gaza, but also in the West Bank*." In this regard, we reaffirm our gratitude for the humanitarian support being extended to the Palestinian people. We thank AHLC Chair for consulting with the international donor community on how to best coordinate the efforts to counter spread of the virus in Palestine and mitigate its impact on the extremely fragile Palestinian economy. We appeal for and welcome increased or accelerated international donor support, including to UNRWA, which requires funds both for its emergency COVID-19 appeal but also, critically, for continuation of its core operations, including provision of education and health services as well as food assistance.

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Estimates that UNRWA's budget for core capacities will be depleted by end of May are deeply worrying. We urge the necessary support to ensure the continuity of UNRWA services as per its General Assembly mandate in order to ensure the well-being of the Palestine refugees and regional stability, including in this time of global crisis. Further, as underscored by the UN Special Coordinator Nickolay Mladenov in his statement on 12 April, "*The Palestinian Government will also require generous external support and technical assistance that is targeted directly to the recovery process*", support that is urgent in light of the fiscal deficits already affecting the Government.

It is our deep hope that such global cooperation and solidarity will be forthcoming and accompanied by concrete measures by the international community to uphold international law and compel Israel to end its violations and end illegal occupation, deprivation and denial of the rights of the Palestinian people, including to self-determination and freedom. This is a time to act to save human lives, but it is also a time to stop conflict, stop human rights violations, and work together for a just peace.

This letter is in follow-up to our 684 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 April 2020 (A/ES-10/xxx-S/2019/xxx) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Please accept, Excellency, the assurances of my highest consideration.

Dr. Riyad Mansour

Minister, Permanent Observer

of the State of Palestine to the United Nations



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